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Attorney Docket No. H10378RAR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of
Kenneth P. Friedrich, et al.

**METHOD AND APPARATUS
FOR TONER IDENTIFICATION**

Serial No. 10/672,829

Filed: 26 September 2003

Group Art Unit: 2631

Examiner: To Be Assigned

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to:
Mail Stop - IDS, Commissioner for Patents,
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Debra Nowacki

Debra Nowacki


January 18, 2005

Date

Mail Stop - IDS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT FOR CONSIDERATION
BY THE OFFICE UNDER 37 C.F.R. 1.97-1.99**

Enclosed herewith are patents and/or publications for consideration by the Patent and Trademark Office in regard to the invention claimed in the above-described application. In compliance with §1.56, such documents are listed in the enclosed Form PTO-1449.

Applicants request that the Patent and Trademark Office make of record the above-identified documents. Unless otherwise indicated, a full text copy of each document is attached. For documents not in English, an English translation or an equivalent English language patent or publication is attached. Where a translation is not available, a concise explanation of the relevance of each document not in English is included either here or in the specification.

This Information Disclosure Statement is submitted according to the following selected paragraph:

- I. This Statement is being filed under §1.97(b) within three months of the filing date of the application, or before the first Office Action.
- II. This Statement is being filed under §1.97(c), with fee, prior to either a final action or a notice of allowance. Please charge the fee required by §1.17(p) to NexPress Solutions LLC, Deposit Order Account Number 50-1466. A duplicate copy of this Statement is enclosed.

III. This Statement is being filed under §1.97(c), with a statement under, §1.97(e) prior to either a final action or a notice of allowance. The undersigned hereby states that (check one):

- each item of information in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- no item of information in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the statement under §1.97(e) after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

IV. This Statement is being filed under §1.97(d), with petition and statement under §1.97(e), after a final action or a notice of allowance but prior to payment of the issue fee. The undersigned hereby petitions that this Statement be considered prior to issuance of the patent. Please charge the fee required by §1.17(i) to NexPress Solutions LLC, Deposit Order Account No. 50-1466. A duplicate copy of this statement is enclosed. The undersigned hereby states that (check one):

- each item of information in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- no item of information in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this statement under §1.97(e) after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



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Enclosures

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FORM PTO-1449 US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		JAN 24 2005	Atty. Docket No. H10378RAR	Serial No. 10/672,829
If AFTER the later date of the First Office Action or 3 months from filing, use only with Rule 97(E) Certificate or Fee		Applicant: Kenneth P. Friedrich, et al.		
LIST OF ART CITED BY APPLICANT (Use several sheets if necessary)		Filing Date September 26, 2003	Group 2631	
U.S. PATENT DOCUMENTS				
Examiner Initial*	DOCUMENT NUMBER	DATE	NAME	CLASS SUBCLASS FILING DATE IF APPROPRIATE
	6,236,816	5/22/2001	Warbus, et al.	399 46
FOREIGN PATENT DOCUMENTS				
Examiner Initial*	DOCUMENT NUMBER	DATE	COUNTRY	CLASS SUBCLASS TRANSLATION YES NO
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)				
EXAMINER		DATE CONSIDERED		
<small>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</small>				